

**REMARKS**

Claims 3-22 remain in this application. Claims 1 and 2 have been canceled as a result of an earlier restriction requirement, and claim 3 is amended. No new matter is added.

Applicants appreciate the courtesies shown to Applicant's representative by Examiner Sarkar during the personal interview conducted on April 23, 2003. Applicants' separate record of the substance of the interview is incorporated into the following remarks.

**I. Claims Define Patentable Subject Matter**

In item 3, page 2 of the Office Action, claims 3-5 were rejected under 35 U.S.C. §103(a) as being unpatentable over Saotome et al. ("Saotome") in view of Barsoum et al ("Barsoum"). The rejection is respectfully traversed.

The Office Action admits, on pages 2- 3 that Saotome expressly fails to disclose or suggest the amorphous material film having a viscosity flow within a range of  $10^8 - 10^{13}$  PaS, as recited in claim 3. However, the Office Action attempts to overcome the admitted deficiencies of Saotome by arguing that Barsoum teaches the viscosity flow within a range of  $10^8 - 10^{13}$  PaS when heated at a temperature within supercooled liquid phase region.

However, it is respectfully submitted that Saotome fails to disclose an amorphous material film exhibiting a viscous flow within a range of  $10^{11} - 10^{13}$  Pa.S at a glass-transition temperature when heated at a temperature within a supercooled liquid phase region (emphasis added), as recited in claim 3.

Although, Barsoum discloses the measured functional dependency of viscosity on temperature in a large number of glass-forming liquids (Fig. 9.10), it is respectfully submitted that the viscosity flow at the glass-transition temperature in Barsoum is in the range of  $10^{14} - 10^{16}$  PaS. However, Applicants' claimed invention disclose that the viscosity flow is in the range of  $10^{11} - 10^{13}$  Pa.S at a glass-transition temperature. Thus, by having the amorphous material with a viscosity of  $10^{11} - 10^{13}$  Pa.S at its glass-transition temperature, the amorphous

material is prevented from being deformed excessively and being destroyed due to its large deformation during short time as the viscosity falls (page 7, lines 15-19).

Accordingly, Saotome and Barsoum, individually or in combination, fail to disclose or suggest an amorphous material film exhibiting a viscous flow within a range of  $10^{11}$  -  $10^{13}$  Pa.S at a glass-transition temperature when heated at a temperature within a supercooled liquid phase region, as recited in claim 3.

In item 4, page 5 of the Office Action, claims 6, 7 and 9-22 were rejected under 35 U.S.C. §103(a) as being unpatentable over Saotome in view of Barsoum and further in view of U.S. Patent No. 5,994,159 to Aksyuk et al. ("Aksyuk"). The rejection is respectfully traversed.

As discussed above, Saotome and Barsoum, fails to disclose or suggest Applicants claimed invention as found in claim 3, the independent claim from which the rejected claims depend, and thus Aksyuk fails to overcome the noted deficiencies of Saotome and Barsoum. Aksyuk merely teaches a method of fabricating a thin film structure for micro-mechanical device in which the thin film beam 8 is deformed by an external mechanical force. Thus, it is respectfully requested rejection be withdrawn.

In item 5, page 11 of the Office Action, claim 8 was rejected under 35 U.S.C. §103(a) as being unpatentable over Saotome in view of Barsoum and Aksyuk and further in view of EP 0 762 176 A2 to Tregilgas et al. ("Tregilgas"). The rejection is respectfully traversed.

As discussed above, Saotome and Barsoum, individually or in combination, fails to disclose or suggest Applicants claimed invention as found in claim 3, the independent claim from which the rejected claim depends, and thus Tregilgas fails to overcome the noted deficiencies of Saotome and Barsoum. Tregilgas merely teaches a method of producing a thin film structure by forming a beam 24 of an amorphous conductive material (col. 1, lines 49-53). Thus, it is respectfully requested the rejection be withdrawn.

For at least these reasons, Applicants respectfully submit that Saotome, Barsoum, Aksyuk and Tregilgas, individually or in combination, fail to disclose or render obvious the features recited in independent claim 3. Claims 4-22, which depend from independent claim 3 are likewise distinguished over the applied art for at least the reasons discussed, as well as for the additional features they recite. Reconsideration and withdraw of the rejection are respectfully requested.

## **II. Conclusion**

In view of the foregoing amendments and remarks, Applicants submit that this application is in condition for allowance. Favorable reconsideration and prompt allowance of claims are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in better condition for allowance, the Examiner is invited to contact Applicants' undersigned representative at the telephone number set forth below.

Respectfully submitted,



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